



Reserve Officers Association of the United States
One Constitution Avenue, NE, Washington, DC 20002
Toll-Free: 800-809-9448 ext. 713
Direct: 202-646-7713
FAX: 202-547-1641
Email: mhanson@roa.org

Position Paper

LPP 10-14 March 2010

REVISE CRITERIA FOR ESTABLISHING THE SERVICE REQUIREMENT FOR A SATISFACTORY YEAR OF SERVICE FOR NON-REGULAR RETIREMENT

Position: In an effort to promote a continuum of service and make Reserve service easier on individuals throughout their career, The Reserve Officers Association believes the management of satisfactory years toward retirement should be based on the fiscal year, removing the artificial requirement of actively maintaining an anniversary year throughout the course of one's career. Any partial year service should be placed at the end of an individual's career.

Background: The changes passed in the non-regular retirement by the first session of the 110th Congress are the first changes to legislation that was enacted since 1949 when Public Laws 80-460 and 80-810 defined training, pay categories and retirement for the Reserve Components. Sixty years later the Reserve Components are still operating under these early laws with few significant changes, even though Reserve participation has increased dramatically, and DoD policy has changed the Reserves from a strategic to an operational force.

However, at some point in history the statute surrounding service requirements for non-regular retirement calculation were removed from Title 10 U.S.C., yet were retained by Department of Defense regulations.

DODI 1215.7 Dated March 1, 2001, paragraph 6 outlines the criteria for establishing the service requirement for a satisfactory year of service for non-regular retirement. The criteria, as currently written, do not follow the intent of the Continuum of Service concept established by the Commission on the National Guard and Reserve by placing parameters on an individual that are not complementary to the fiscal and civilian requirements also placed on Reservists.

A satisfactory year, per this instruction is based on the anniversary date, established by the date a member entered into active service or into active status in a Reserve component and currently can only be changed under certain circumstances such as a break in service or change in status.

Discussion: Due to budgetary requirements, Reservists also must consider the fiscal year in scheduling their duty with the goal to have the all of their minimum mandatory membership points obtained in the overlapping period of the fiscal year and their anniversary year.

What the DoD policy does not consider is that Reservists with civilian employment must also factor in the calendar upon which any military leave is granted by their employer. For the federal government and the majority of the civilian workforce, military leave is granted on the calendar year.

[over]



Reserve Officers Association of the United States • One Constitution Avenue, NE • Washington, DC 20002
ARMY • MARINE CORPS • NAVY • AIR FORCE • COAST GUARD • NOAA • USPHS
"Serving Citizen Warriors Through Advocacy and Education Since 1922"

Combining all three timetables: fiscal, anniversary and calendar years, the number of months a Reservist has available to do their duty can be limiting. With family and civilian work requirements as well, such timetables can shrink even further.

Example: For most officers who achieved their commissions through ROTC or a service academy who join the Reserve with no break in service, their anniversary year will likely begin in May. When added to the fiscal year, this means, their duty must be accomplished from October to May. If their employer grants them military leave by the calendar year, then they are limited to conducting all their duty either October to December, or January to May. If during either of these periods they have an increased civilian work load or family commitment, they are then further constricted.

The issue primarily affects Reservists in the individual program who are responsible for responding to the needs of the Active component, with the purpose of serving duty when their active duty counterparts are deployed or on leave. Limiting the time periods when such duty can be conducted is not responsive to the needs of the Active component and compromises the purpose of the individual program.

While this problem is less of an issue for traditional reservists and reserve technicians who primarily conduct inactive duty training periods on drill weekends, the requirement can affect them as well if their Reserve unit schedules their annual tour outside of their anniversary year.

Additionally, actively maintaining an anniversary year with the onus on the reservist is unnecessary because the DoD instruction already establishes the authority to pro-rate the points required in a member's the last year of service before transitioning into gray area retiree status.

While the Reserve Officers Association recognizes the need to properly manage satisfactory years toward retirement, we believe such years should be based on the fiscal year, removing the artificial requirement of actively maintaining an anniversary year throughout the course of one's career and instead placing the requirement for any partial year service at the end of an individual's career.

Such a change in policy would benefit the continuum of service, making service easier on individuals throughout the course of their career.